

**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR § 1.53(b))

|                        |                                    |
|------------------------|------------------------------------|
| Attorney Docket No.    | 1488.131000A/EKS/EJH               |
| First Inventor         | Jian NI                            |
| Title                  | Death Domain Containing Receptor 5 |
| Express Mail Label No. |                                    |

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

**ADDRESS TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original, and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.

3. ☒ Specification [Total Pages 74]  
(preferred arrangement set forth below)  
- Descriptive title of the invention  
- Cross Reference to Related Applications  
- Statement Regarding Fed sponsored R & D  
- Reference to sequence listing, a table,  
or a computer program listing appendix  
- Background of the invention  
- Brief Summary of the invention  
- Brief Description of the Drawings (if filed)  
- Detailed Description  
- Claim(s)  
- Abstract of the Disclosure

4. ☒ Drawings (35 U.S.C. 113) [Total Sheets 7]

5. ☐ Oath or Declaration [Total Pages 2]

- a. ☐ Newly executed (original or copy)
- b. ☒ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 18 completed)
- i. ☒ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR §§  
1.63(d)(2) and 1.33(b).

6. ☒ Application Data Sheet. See 37 CFR 1.76.

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program  
(Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)

- b. Specification Sequence Listing on:

- i. ☐ CD-ROM or CD-R (2 copies); or

- ii. ☐ paper

- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i) Applicant must attach form PTO/SB/35 or its equivalent.
17. ☒ Other: Authorization under 37 C.F.R. § 1.136(a)(3)
- ☒ Other: Letter to PTO Draftsman: Submission of Formal Drawings: 12 sheets of formal drawings (Figures 1A, 1B, 2A, 2B, 2C, 3, 4, 5A-5C, 5D (photograph), 5E, 6A (photograph), and 6B-6C)
- ☒ Other: Request to Open New Disk File
- ☒ Other: The name of the assignee is: Human Genome Sciences, Inc.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76.

☐ Continuation ☒ Divisional ☐ Continuation-in-Part (CIP) of prior Application No: 09/042,583  
Prior application information: Examiner Kaufman, C. Group/Art Unit: 1646

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**

- ☒ Customer Number or Bar Code Label

Customer No. 28730

(Insert Customer No. or attach bar code label here)

or ☐ Correspondence address below

|         |   |          |  |       |  |
|---------|---|----------|--|-------|--|
| NAME    | STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C. |          |  | 28730 |  |
| ADDRESS | Attorneys at Law PATENT TRADEMARK OFFICE  |          |  |       |  |
| CITY    | STATE                                     | ZIP CODE |  |       |  |
| COUNTRY | TELEPHONE                                 | FAX      |  |       |  |

|                   |                            |                             |              |
|-------------------|----------------------------|-----------------------------|--------------|
| NAME (Print/Type) | Elizabeth J. Hauges, Ph.D. | Registration No. (Attorney) | 42,613       |
| SIGNATURE         | <i>Elizabeth J. Hauges</i> | Date                        | Dec. 7, 2001 |

Burden Hour Statement: this form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

SKGF Rev 3/29/01 mac

divisionalsbo5

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

## Complete if Known

|                      |  |
|----------------------|--|
| Application Number   | To be assigned (Divisional of Appl. No. 09/042,583; Filed: March 17, 1998) |
| Filing Date          | Herewith   |
| First Named Inventor | Jian NI  |
| Examiner Name        | To be assigned   |
| Group Art Unit       | To be assigned   |
| Attorney Docket No.  | 1488.131000A/EKS/EJH   |

TOTAL AMOUNT OF PAYMENT (\$)**4,082.00**

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number

19-0036

Deposit Account Name

Sterne, Kessler, Goldstein & Fox P L L C.

- ☐ Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17

- ☐ Applicant claims small entity status See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money Order ☒ Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No 19-0036

## FEE CALCULATION

### 1. BASIC FILING FEE

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description        | Fee Paid |
|----------------|-----------------|----------------|-----------------|------------------------|----------|
| 101            | 740             | 201            | 370             | Utility filing fee     | 740.00   |
| 106            | 330             | 206            | 165             | Design filing fee      |          |
| 107            | 510             | 207            | 255             | Plant filing fee       |          |
| 108            | 740             | 208            | 370             | Reissue filing fee     |          |
| 114            | 160             | 214            | 80              | Provisional filing fee |          |

SUBTOTAL (1) (\$) **740.00**

### 2. EXTRA CLAIM FEES

|   | Extra          | Fee from below | Fee Paid        |
|---|----------------|----------------|-----------------|
| Total Claims <b>145</b> - 20** = <b>125</b> | X <b>18.00</b> | =              | <b>2,250.00</b> |
| Indep. Claims <b>16</b> - 3** = <b>13</b>   | X <b>84.00</b> | =              | <b>1,092.00</b> |
| Multiple Dependent                          | <b>0</b>       | =              | <b>0.00</b>     |

| Large Fee Code | Entity Fee (\$) | Small Fee Code | Entity Fee (\$) | Fee Description   |
|----------------|-----------------|----------------|-----------------|---|
| 103            | 18              | 203            | 9               | Claims in excess of 20                                    |
| 102            | 84              | 202            | 42              | Independent claims in excess of 3                         |
| 104            | 280             | 204            | 140             | Multiple dependent claim                                  |
| 108            | 84              | 209            | 42              | **Reissue independent claims over original patent         |
| 110            | 18              | 210            | 9               | **Reissue claims in excess of 20 and over original patent |

SUBTOTAL (2) (\$) **3,342**

\*\* or number previously paid, if greater. For Reissues, see above

### 3. ADDITIONAL FEES

Large Entity Small Entity

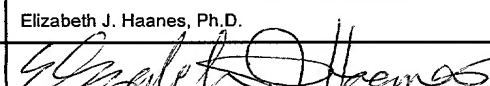
| Fee Code | Fee (\$) | Fee Code | Fee (\$) | Fee Description  | Fee paid |
|----------|----------|----------|----------|--|----------|
| 105      | 130      | 205      | 65       | Surcharge - late filing fee or oath  |          |
| 127      | 50       | 227      | 25       | Surcharge - late provisional filing fee or cover sheet                     |          |
| 139      | 130      | 139      | 130      | Non-English specification  |          |
| 147      | 2,520    | 147      | 2,520    | For filing a request for <i>ex parte</i> reexamination                     |          |
| 112      | 920*     | 112      | 920*     | Requesting publication of SIR prior to Examiner action                     |          |
| 113      | 1,840*   | 113      | 1,840*   | Requesting publication of SIR after Examiner action                        |          |
| 115      | 110      | 215      | 55       | Extension for reply within first month                                     |          |
| 116      | 400      | 216      | 200      | Extension for reply within second month                                    |          |
| 117      | 920      | 217      | 460      | Extension for reply within third month                                     |          |
| 118      | 1,440    | 218      | 720      | Extension for reply within fourth month                                    |          |
| 128      | 1,960    | 228      | 980      | Extension for reply within fifth month                                     |          |
| 119      | 320      | 219      | 160      | Notice of Appeal   |          |
| 120      | 320      | 220      | 160      | Filing a brief in support of an appeal                                     |          |
| 121      | 280      | 221      | 140      | Request for oral hearing   |          |
| 138      | 1,510    | 138      | 1,510    | Petition to institute a public use proceeding                              |          |
| 140      | 110      | 240      | 55       | Petition to revive - unavoidable   |          |
| 141      | 1,280    | 241      | 640      | Petition to revive - unintentional   |          |
| 142      | 1,280    | 242      | 640      | Utility issue fee (or reissue)   |          |
| 143      | 460      | 243      | 230      | Design issue fee   |          |
| 144      | 620      | 244      | 310      | Plant issue fee  |          |
| 122      | 130      | 122      | 130      | Petitions to the Commissioner  |          |
| 123      | 130      | 123      | 130      | Petitions related to provisional applications                              |          |
| 126      | 180      | 126      | 180      | Submission of Information Disclosure Stmt                                  |          |
| 581      | 40       | 481      | 40       | Recording each patent assignment per property (times number of properties) |          |
| 146      | 740      | 246      | 370      | Filing a submission after final rejection (37 CFR 1.129(a))                |          |
| 149      | 740      | 249      | 370      | For each additional invention to be examined (37 CFR 1.129(b))             |          |
| 179      | 740      | 279      | 370      | Request for Continued Examination (RCE)                                    |          |
| 169      | 900      | 169      | 900      | Request for expedited examination of a design application                  |          |

Other fee (specify) .

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \_\_\_\_\_

## SUBMITTED BY

|                   |   |                                   |                  |           |              |
|-------------------|---|-----------------------------------|------------------|-----------|--------------|
| Name (Print/Type) | Elizabeth J. Haanes, Ph.D.  | Registration No. (Attorney/Agent) | 42,613           | Telephone | 202-371-2600 |
| Signature         |  | Date                              | December 7, 2001 |           |              |

## Complete (if applicable)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

ATTORNEYS AT LAW

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J1131 U.S. PTO



12/07/01

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GABY L. LONGSWORTH\*\*  
DUSTIN T. JOHNSON\*\*  
MATTHEW J. DOWD\*\*  
AARON L. SCHWARTZ\*\*

\*LIMITED TO MATTERS  
AND PROCEEDINGS BEFORE  
FEDERAL COURTS & AGENCIES  
\*\*REGISTERED PATENT AGENT  
\*\*\*SENIOR COUNSEL

J1050 U.S. PTO  
10/005842



12/07/01

December 7, 2001

WRITER'S DIRECT NUMBER:  
(202) 218-7834

INTERNET ADDRESS:  
BHAANES@SKGF.COM

Commissioner for Patents  
Washington, D.C. 20231

Box: Patent Application

Re: U.S. Non-Provisional Utility Patent Application under 37 C.F.R. § 1.53(b)  
Appl. No. *To be assigned*; Filed: *Herewith*  
(Divisional of Appl. No. 09/042,583; Filed: March 17, 1998)  
For: **Death Domain Containing Receptor 5**  
Assignee: Human Genome Sciences, Inc.  
Inventors: NI *et al.*  
Our Ref: 1488.131000A/EKS/EJH

Sir:

The following documents are forwarded herewith for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal Form (PTO/SB/17) (*in duplicate*);
2. PTO Utility Patent Application Transmittal Form (PTO/SB/05) (*in duplicate*);
3. U.S. Utility Patent Application entitled:

**Death Domain Containing Receptor 5**

and naming as inventors:

Jian NI  
Reiner L. GENTZ  
Guo-Liang YU  
Craig A. ROSEN

Commissioner for Patents

December 7, 2001

Page 2

the application consisting of:

- a. A specification containing:
    - i. 67 pages of description prior to the claims (including a Sequence Listing on pages 55-67);
    - ii. 6 pages of claims (1-34 claims);
    - iii. a one (1) page abstract;
  - b. 7 sheets of drawings (Figures 1-6);
  - c. A copy of the executed Declaration, as originally filed in U.S. Appl. No. 09/042,583;
  - d. Application Data Sheet;
4. Authorization to Treat a Reply As Incorporating An Extension of Time Under 37 C.F.R. § 1.136(a)(3) (*in duplicate*);
  5. A Preliminary Amendment;
  6. Request to Open New Disk File;
  7. Letter to PTO Draftsman: Submission of Formal Drawings;
  8. 12 sheets of formal drawings (Figures 1A, 1B, 2A, 2B, 2C, 3, 4, 5A-5C, 5D (photograph), 5E, 6A (photograph), and 6B-6C, approval of which is respectfully requested;
  9. Two (2) return postcards; and
  10. Our check no. 33466 for \$4,082.00 to cover:
    - \$ 740.00 Filing fee for patent application;
    - \$3,342.00 Fee for excess claims.

The name of the assignee is Human Genome Sciences, Inc.

Correspondence should be sent to Customer Number 28730.

Commissioner for Patents

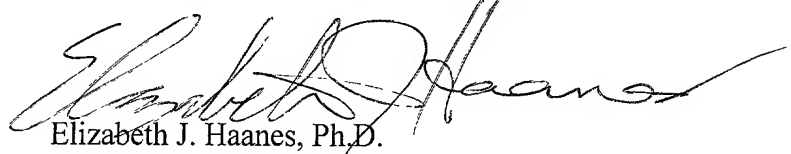
December 7, 2001

Page 3

It is respectfully requested that, of the two attached postcards, one be stamped with the filing date of these documents and returned to our courier, and the other, prepaid postcard, be stamped with the filing date and unofficial application number and returned as soon as possible. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.

Attorney for Applicants

Registration No. 42,613

EJH/PSC/lam

Enclosures

P:\USERS\PCoi\1488\131000A\pto\divisionalptotrn

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NI *et al.*

Appl. No. *To be assigned* (Divisional of Appl.  
No. 09/042,583; Filed: March 17, 1998)

Filed: *Herewith*

For: **Death Domain Containing Receptor 5**

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 1488.131000A/EKS/EJH

**Request to Open New Disk File**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicants request that a new disk file be opened for the above-cited application. The Sequence Listing disk submitted on March 27, 1998 in the parent, Application No. 09/042,583, filed March 27, 1998 contains the identical sequence information as that in the present application.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.  
Attorney for Applicants  
Registration No. 42,613

Date: December 7, 2001

1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
(202) 371-2600

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

NI *et al.*

Appl. No. *To be assigned* (Divisional of Appl.  
No. 09/042,583; Filed: March 17, 1998)

Filed: *Herewith*

For: **Death Domain Containing Receptor 5**

Art Unit: *To be assigned*

Examiner: *To be assigned*

Atty. Docket: 1488.131000A/EKS/EJH

**Letter to PTO Draftsman: Submission of Formal Drawings**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Submitted herewith are 12 sheets of formal drawings with Figures 1A, 1B, 2A, 2B, 2C, 3, 4, 5A-5C, 5D (photograph), 5E, 6A (photograph), and 6B-6C, corresponding to the informal drawings submitted with the above-captioned application. Identification of the drawings is provided in accordance with 37 C.F.R. § 1.84(c). Acknowledgment of the receipt, approval, and entry of these formal drawings into this application is respectfully requested.

In Reply to the Office's notice requiring a petition under 37 C.F.R. § 1.84(b)(1) and/or a petition fee for Acceptance of Black and White Photographs, Applicants request that the requirement be withdrawn. 1213 OG 108.

It is not believed that an extension of time is required, other than any already provided herewith. However, if an extension of time is needed to prevent abandonment of the application, then such extension of time is hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this Letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Elizabeth J. Haanes, Ph.D.

Attorney for Applicants

Registration No. 42,613

Date: December 7, 2001  
1100 New York Avenue, N.W.  
Suite 600  
Washington, D.C. 20005-3934  
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